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## A BILL FOR AN ACT

RELATING TO FOIE GRAS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 328, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§328-       Foie gras; prohibited. (a) It shall be  
5 unlawful for any person to possess, sell, offer for sale, trade,  
6 or distribute foie gras.

7           (b) Prior to July 1, 2012, any restaurant holding a valid  
8 certificate, permit, or license issued by the department of  
9 health under section 321-11 may possess, sell, offer for sale,  
10 trade, or distribute foie gras possessed by that restaurant as  
11 of July 1, 2011, which are prepared for consumption.

12           (c) Any person violating this section or any rule adopted  
13 pursuant to this section shall be penalized as follows:

14           (1) For a first offense, by an administrative fine of not  
15 less than \$           and not more than \$           ;

16           (2) For a second offense, by an administrative fine of not  
17 less than \$           and not more than \$           ; and



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1        (3) For a third or subsequent offense, by an  
 2            administrative fine of not less than \$            and not  
 3            more than \$            or by imprisonment of not more than  
 4            one year, or both.

5        (d) The department may adopt rules pursuant to chapter 91  
 6        necessary for the purposes of this section.

7        (e) For the purpose of this section, "foie gras" means the  
 8        liver of a bird, including a duck or goose, which is fattened in  
 9        a process that causes the bird to consume more food than a  
 10       typical bird of the same species would consume voluntarily by  
 11       means that include delivering food through a tube or other  
 12       device inserted into the bird's esophagus."

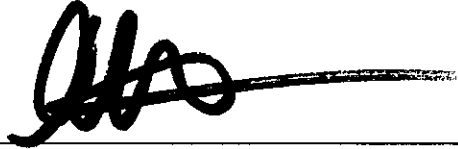

13       SECTION 2. This Act does not affect rights and duties that  
 14       matured, penalties that were incurred, and proceedings that were  
 15       begun before its effective date.

16       SECTION 3. New statutory material is underscored.

17       SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY:

JAN 20 2011



**Report Title:**

Foie Gras; Prohibition

**Description:**

Prohibits the possession, sale, or distribution of foie gras.  
Establishes penalties.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

